

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE IAN OSBAND,

Petitioner,

vs.

JOHN STOKES,
Acting Warden of San Quentin
State Prison,

Respondent.

No. CIV S-97-0152 WBS KJM

DEATH PENALTY CASE

ORDER

The parties submitted a joint statement regarding transcription errors in the transcripts for the April/May 2007 evidentiary hearing.¹ The parties agree on a lengthy list of transcription errors and ask that the court reporter submit corrected pages reflecting the stipulated corrections. The parties dispute very few errors and, primarily, seek a review of the court reporter's notes with respect to these disputes.

Good cause appearing, IT IS HEREBY ORDERED as follows:

1. Within seven days of the filed date of this order, court reporter Patricia Hernandez shall file the following:

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¹ As has been documented in prior orders, the transcript of the final day of the hearing is not yet complete. The court understands it should be filed shortly.

1 a. Corrected pages reflecting the stipulated corrections listed in the attached table.

2 b. A statement regarding the following disputed passages after a review of the
3 transcription notes:

4 Page 33, line 6 - Is the word "applied" correct? Could it be "appointed?"

5 Page 79, line 19 - Please check the accuracy of this line.

6 Page 88, line 2 - Please check the accuracy of this line. In particular, does
7 the word "consequence" appear in your notes?

8 Page 609, lines 16-20 - Please check the accuracy of this line.

9 Page 779, line 20 - Please check the accuracy of this line. In particular,
10 could the word "figure" be "effect?"

11 2. As the court's E CRO system recorded the first portion of the April 23, 2007
12 evidentiary hearing, corrections to that portion of the transcript will be handled by the court and
13 filed as soon as reasonably possible.

14 3. In addition to normal service of this order upon counsel for petitioner and
15 respondent, the Clerk of the Court is directed to serve it upon Patricia A. Hernandez, Diamond
16 Court Reporters, 1107 2nd Street, # 210, Sacramento, CA 95814 by U.S. Mail and by fax at
17 (916) 442-2783.

18 DATED: December 3, 2007.

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21 U.S. MAGISTRATE JUDGE
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